

## Summary of Proposed Changes specific to the TBI Program

Public Comment Period:

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1. Added language requiring demonstration of rehabilitative progress
  - a. Added language relating to progress reporting. “The individual must show the capacity to make progress in their rehabilitation and independent living skills. Progress reviews are conducted every six months based upon the progress reporting documentation gathered using the standardized instrument developed by KDADS with MCO and stakeholder input.”
2. Added requirement of KDADS review of supporting TBI documentation or clinical assessment of need for rehabilitation relating to TBI
3. Added language that will require professional assessment for documentation that is unclear or questionable for eligibility purposes
4. Updated Level of Care criteria to be consistent with current Program Policy Manual
5. Expanded training requirements for all providers to “Complete KDADS approved training curriculum.”
6. Updated provider requirements
  - a. Providers in a school environment can provide these services if the provider has a certification in Special Education by the Kansas State Department of Education. For this circumstance, the provider must have a Master’s degree in Special Education, complete KDADS approved training curriculum, and comply with State statutes, rules, and regulations. Any provider meeting the above mentioned requirements is not permitted to provide services outside of the school environment.
  - b. TBI providers or provider assistants are not permitted to be dual providers for the same consumer on the following services:
    - Personal Care Attendant (PCA) and Transitional Living Specialist (TLS)
    - Transitional Living Specialist (TLS) and Therapeutic Services (including behavioral, cognitive, speech-language, physical, and occupational)
    - Multiple therapeutic services (including behavioral, cognitive, speech-language, physical, and occupational)
7. Clarified state regulations and statutes for therapy services being provided under supervision of an enrolled provider
  - a. May be provided by a physical therapist assistant under the supervision of an enrolled licensed physical therapist provider in accordance with applicable statutes and regulations.

The physical therapy provider will follow compliance requirements specified by the Kansas Board of Healing Arts (KBHA). Failure to comply with these statutes, rules, and regulations will result in a referral to KBHA for investigation.

The licensed physical therapist is responsible for providing, upon request from the State, the following:

- Comprehensive list of the selected tasks performed by the physical therapy assistant
- Documentation of education, training, experience, and skill level of the physical therapist assistant
- Documentation of the setting in which the care is being delivered to the consumer
- Documentation of the complexity and acuteness of the consumer condition or health status

Requirements for physical therapy assistant:

- o Must have the appropriate level of education and certification (100-29-2 & 100-29-3)
- o Must be at least eighteen years of age or older
- o Must reside outside of the program recipient's home
- o Must be a Medicaid enrolled provider or an employee of a Medicaid enrolled provider.

8. Transition from TBI at or approaching age 65

Participants that turn 65 while receiving TBI program services may continue receiving services as long as the participant continues to make rehabilitative progress.

Any participant that does not show rehabilitative process in program services, including those participants who are approaching the age of 65, may be eligible to transition to the appropriate program provided the participant meets the established criteria. Participants that are eligible to transition from the TBI program to the appropriate program will bypass the waitlist and will be eligible to receive services following approval by the program managers of current and proposed programs.

9. TBI Addendum modified to ensure that individuals on program require rehabilitation services due to a TBI